

EFW



PATENT LAW OFFICES OF DAVID MILLERS

6560 Ashfield Court
San Jose, California 95120

Telephone: (408) 927-6700; Facsimile: (408) 927-6701

E-mail: Dmillers@millerspatentlaw.com

September 8, 2006

Mail Stop Amendment
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/718,031

Title: DEVICE PROBING USING A MATCHING DEVICE
Inventor: Mark L. DiOrio
Filing Date: Nov. 19, 2003
Examiner: Paresh H. Patel Group Art Unit: 2829
Docket No.: MTB005US1P

Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

1. Return Receipt Postcard;
2. This Transmittal Letter (in duplicate); and
3. Response to Restriction/Election Requirement (6 pages).

Conditional Petition for Extension of Time

If after the document(s) filed with this transmittal have been considered, an extension of time is required for timely filing of the document(s), an extension of time is hereby requested.

Fees

- ☒ No additional fee is required.
- ☒ Please charge any additional fees required and credit any overpayment to Deposit Account No. 50-1767.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on September 8, 2006.

David T. Millers

Attorney for Applicant(s)

9-8-06

Date of Signature

Respectfully submitted,

David T. Millers

David T. Millers
Reg. No. 37,396



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mark L. DiOrio
Assignee: Celerity Research, Inc.
Title: DEVICE PROBING USING A MATCHING DEVICE
Serial No.: 10/718,031 Filing Date: November 19, 2003
Examiner: Paresh H. Patel Group Art Unit: 2829
Docket No.: MTB005US1P

San Jose, California
September 8, 2006

Mail Stop AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Dear Sir:

This response to the August 8, 2006 Office Action, which has a statutorily shortened period for response that ends September 8, 2006, includes:

A list of the claims as presented for further examination; and
Remarks offered in reply to the pending Office Action.

THE PATENT LAW OFFICES
OF DAVID MILLERS
6560 ASHFIELD COURT
SAN JOSE, CA 95120
PHONE (408) 927-6700
FAX (408) 927-6701